

TOWN OF FOREST HEIGHTS
RESOLUTION 47-17

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND APPROVING AND AUTHORIZING A TOWN REPRESENTATIVE TO SIGN CERTAIN RIGHT OF ENTRY AGREEMENTS FOR THE ROLPH DRIVE STREET RECONSTRUCTION PROJECT

Introduced By: Habeeb-Ullah Muhammad, Mayor and Jonathon Kennedy, II, Council President

WHEREAS, pursuant to Section 33-73 of the Charter of the Town of Forest Heights (the "Charter"), the Town shall have control of all public ways in the Town except such as may be under the jurisdiction of the State Roads Commission of Maryland or Prince George's County, and subject to the laws of the State of Maryland and said Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

WHEREAS, pursuant to Section 33-80 of the Charter, the Town may acquire real, personal, or mixed property for any public purpose by purchase, gift bequest, devise, lease, condemnation, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Town; and

WHEREAS, pursuant to Section 33-63 of the Charter, all contracts for the Town government shall be made by the Mayor and Council.; and

WHEREAS, pursuant to Section 6 of Resolution 02-2013, all substantive resolutions of the Mayor and Council shall be in writing and require an affirmative vote of at least four (4) council members; and

WHEREAS, the right-of-entry agreements are needed between the Town and each abutting property owner in order to allow the Town's contractors to have the necessary access to private property needed to complete the project otherwise the Town would need to exercise the power of condemnation to temporarily take the property needed to finish construction of the roadway in order to provide for the health, safety and welfare of the residents of the Town and the travelling public.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves said right of entry agreement for Rolph Drive as follows:

Section 1

The Right-of-Entry Agreement referenced herein and attached hereto as Exhibit A, is hereby approved for use by the Town and for entry into agreements with the subject property owners.

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Section 2

The Town Administrator and the Public Works Director are designated as authorized to execute the said agreement, attached hereto and referenced above.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

PASSED this 3rd day of July 2017.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights,
Maryland

ATTEST:

THE TOWN OF FOREST HEIGHTS

SIGNATURE ON FILE

Bonita Anderson, Town Clerk

SIGNATURE ON FILE

By:

Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By:

Jonathon Kennedy, II, Council President

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

YEA

KENNEDY II

YEA

MCLAURIN

YEA

BARNES

ABSENT

HINES

YEA

SMITH-BARNES

ABSENT

BROWNSON

YEA

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 3rd day of July 2017 with 5 Aye votes and 0 Nay, constituting a majority of at least four (4) affirmative votes, the aforesaid Resolution 47-17 passed.

SIGNATURE ON FILE

Bonita Anderson, Town Clerk

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